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State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Oil, Gas & Mining

MICHAEL R. STYLER
Executive Director
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Division Director

Inspection Report
Minerals Regulatory Program
September 9, 2005

Supervisor MRM

Mine Name: Snow White Clay Mine
Operator Name: Interstate Brick Company

Permit number: M/049/030
Inspection Date: Sept. 7, 2005
Time: 8:00 am

Inspector(s): Lynn Kunzler, Susan White, and Dan Smith, DOGM

Other Participants: none

Mine Status: Active

Weather: clear

Elements of Inspection	Evaluated	Comment	Enforcement
1. Permits, Revisions, Transfer, Bonds	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2. Public Safety (shafts, adits, trash, signs, highwalls)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Protection of Drainages / Erosion Control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Deleterious Material	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Roads (maintenance, surfacing, dust control, safety)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Concurrent Reclamation	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Backfilling/Grading (trenches, pits, roads,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Soils	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Revegetation	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Purpose of Inspection:

This inspection was done at the request of an adjacent land owner, claiming that the operation had encroached onto his property.

Inspection Summary:

1. A review of the file for this operation found several concerns that need to be addressed. The original Notice (received Sept. 11, 1996) identified a five-acre parcel (as School Trust Lands) in section 20 (a lease had been applied for, but had not yet been issued). The Division's acceptance of this Notice did not authorize mining activities until SITLA approved the lease). On June 13, 1997, the Division received an amended notice, which reduced the size of the original area to 1 acre, added a second area of 1/2 acre in section 20 and added a 2 acre area in section 29, for a revised total of 3.5 acres. All lands were identified as Fee lands in the amended Notice. The amended Notice was accepted on June 17, 1997.

On May 5, 2003, the Division issued a Directive to Interstate Brick which required the submittal of a Notice of Intention to Commence Large Mining Operations (LMO). The operator has requested, and the Division approved several extensions to the deadline to submit the LMO. The latest request for an extension was submitted January 14, 2005, and the extension was approved to February 28, 2005. There was no other correspondence regarding this issue.

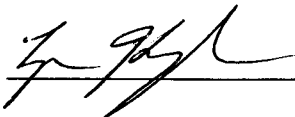
The map submitted and approved with the transitional surety was used as the basis for where the Division has allowed, or authorized mining operations to continue, while the operator prepared and submitted the LMO notice, and while the Division processed the notice. During the inspection, the Division surveyed the disturbed areas using a GPS datalogger. A comparison of this data with the map revealed that mining operations were being conducted outside the area previously authorized (and bonded) for mining activity.

- 6 & 9. In 1999, about 2 acres on the south area were regraded and seeded. Examination of this area found that the regrading work along the northeastern portion was not adequate (the dump slope had not been properly reduced to a 3h:1v slope). Also, it appeared that no top soil (plant growth medium) was used. Ground cover of the vegetation was not estimated. Although cover appeared to be close to the 70% success standard, it was a near monoculture of shadscale. Only one sagebrush plant was observed, a couple of indian rice grass plants, a few horehound plants and weedy species (poverty weed and cheatgrass).

Conclusions and Recommendations:

1. The area identified as being on the adjacent land owner's property is the area to the south that was partially regraded and seeded. There is also a pile of overburden material on this parcel. However, this area was identified in the SMO amendment that was submitted in 1997, and was properly identified as Fee property. To resolve this issue, the operator will need to provide evidence that they have the legal right to enter and conduct mining activities on this area, or they will need to fully reclaim the area.
2. The disturbed area identified by the GPS survey reveals that there is significant acreage that has recently (this year) been used for mining activities that is outside the area covered by the interim surety.
3. The May 5, 2003, Division Directive required the operator to: 1). cease all mining operations until a transitional surety was posted; 2). submit a transitional surety in the amount of \$100,00.00; 3). submit a Notice of Intention to Commence Large Mining Operations; 4). not expand beyond the current disturbed area until the LMO and final reclamation surety was approved by the Division, and 5). clearly mark the perimeter of the current disturbed area with metal t-posts or other suitable markers. This operation is not in compliance with items 3-5 of the Division Directive. It has been several months since the last date approved by the Division for the operator to submit the LMO. Mining activities are being conducted outside the disturbed area identified on the map submitted for the reclamation surety, and there was no evidence that the perimeter of the disturbed area had been adequately marked. For these reasons, a cessation order is warranted.

Inspector's Signature



Date: September 9, 2005

LK:jb

cc: John Hewitt, Interstate Brick Company

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